

# OREGON STATE BAR

## Board of Governors Agenda

---

**Meeting Date:** April 12, 2019  
**From:** Amber Hollister, General Counsel  
**Re:** CSF Claim No. 2018-82 Deveny (Papadopoulos)

---

### Action Requested

Consider Client Security Fund Committee's recommendation that the board grant claimant Konstantinos Papadopoulos' claim of \$50,000 in the matter of CSF Claim No. 2018-82 Deveny (Papadopoulos).

### Discussion

Claimant Konstantinos Papadopoulos retained Ms. Deveny on March 3, 2014 to represent him to recover damages for injuries sustained in a motor vehicle accident that occurred on January 31, 2014. Mr. Papadopoulos sustained injuries that required surgery and additional treatment.

In December 2015, Ms. Deveny reached a settlement with Employers Mutual Casualty Company for \$90,000. On December 23, 2014, she received a settlement check and deposited it in her trust account. Although she had agreed to settle Mr. Papadopoulos's outstanding PIP subrogation claim (she received an offer to settle for \$15,000), it does not appear she did so.

Mr. Papadopoulos asserts that Ms. Deveny reached the settlement without his knowledge or consent. He submits that she settled his case just after he finished surgery and before the extent of his medical expenses were fully known. Claimant never received any part of the settlement, and Ms. Deveny's trust account does not contain the funds.

At its March 2018 meeting, the Client Security Fund Committee reviewed Mr. Papadopoulos's claim and unanimously voted to recommend that the Board reimburse him for \$50,000 of his loss. Mr. Papadopoulos's claim would not ordinarily be eligible for reimbursement at this time, pursuant CSF Rule 2.1.6, because Ms. Deveny has not been found guilty of a crime and Mr. Papadopoulos has not obtained a civil judgment against her. The Committee, however, voted to waive the requirement of CSF Rule 2.1.6 based on extreme hardship under CSF Rule 2.6, based upon his circumstances and the available evidence.

Staff recommends that the board approve the claim, consistent with the CSF Committee's recommendation.